



Pursuant to the foregoing notice the Annual Representative Town Meeting of the Town of Greenwich was held in the Moderators' Hall of Central Middle School on Tuesday January 20, 2004 at 8:00 P.M.(E.S.T.)

The meeting was called to order by the Town Clerk Carmella C. Budkins.

The members pledged allegiance to the flag.

The Town Clerk announced that Item No. 1 on the call was now before the meeting.

The Town Clerk swore in all the members present. The following individuals constitute the membership of the Representative Town Meeting for the 2004-2005 term.

District 1- Carl G. Carlson, Jr., VCHR, George F. Chelwick, Norman R. Collins, Edward D. Dadakis, Pamela Frederick, **Margaret W. Frey, SEC,** Gregory S. Frumin, Nora T. Gentry, **Dean L. Goss, CHR,** Hans A. Helbig, Richard P. Holleran, Patrick F. Maher, Sue A. McClenachan, Richard A. Muskus, Mary G. Pellegrino, Julie L. Ray, Timothy Schipper, Ellis L. Younger, Carol A. Zarrilli **District 2 – William C. Andersen, Kevin J. Brogan, CHR,** Duncan G. Burke, Nancy B. Burke, Carlo F. Cantavero, David F. Chiappetta, Sr, Donald R. Conway, Forbes Delany, **Nancy A. Fogwell, VCHR,** Cecilia H. Morgan, **Wilma Nacinovich, SEC,** John Riley, Jr., Mark Schroeder, John F. Toner, Douglas J. Wells **District 3 – Michael Aurelia, Louise T. Bavis, SEC,** John R. Budkins, Laurel G. Colombo, **Thomas P. Conelias, VCHR,** Holly Delohery, Lisa J. Hoffman, Murray S. Paroly, **J. Robert Tuthill, CHR** M. Michael Warner, **District 4 – Steven B. Anderson, Felix Andreoni, John R. Bowman, Russell Bowman, Otto Carbino, Jr., Linda R. DeSeife, VCHR,** Thomas J. Greco, **Richard A. Jackson, SEC, Robert J. McKnight, Jr., CHR,** Dustin K. Manocha, Peter D. Millard, Mary Ann Mullen, Maria M. Popp, David C. Rupert, Josiane M. Schaffner-Parnell, Donald R. Vitti **District 5 – Frederick L. Baker, III, H. Franklin Bloomer, Jr., Robert K. Brady, Edward T. Broadhurst, III, Elizabeth C. Campbell, Jennifer A. Dayton, Kara S. Donahue, SEC, Laura B. Erickson, Mary S. Ferry, CHR,** James W. Innes, Gerald S. Isaacson, Jacqueline M. Jodl, Lucy B. Krasnor, Karen S. Oztemel, Frank J. Quinn, Walter C. Slack, Samuel T. Telerico, James W. Vaughn, **Nancy Weissler, VCHR** **District 6 – Michael J. Barnaby, VCHR,** Jeanne A. Barr, Thomas J. Byrne, Abelardo S. Curdumi, Carol C. Ducret, Richard F. Grieb, Robert Guerrieri, Kelly J. Houston, Walter K. Howe, **Coline Jenkins, CHR,** Claudia M. Keeler, **Arline Lomazzo, SEC,** Edward M. Manganiello, Stephen Meskers, Stephanie R. Paulmeno, Barbara T. Ruud Nucci, Karen A. Sadik-Khan, Susan B. Schruth, John Winthrop, **District 7 – David P. Agnew, George G. Atkeson, Eleanor S. Bloom, Michael K. Burke, James Campbell, William J. Clark, Alice B. Duff, Roberts S. Dustin, Jr. Patricia G. Elsaesser, Randall Huffman, Angela M. Hyland, Mary A. Jacobson, Janet K. Lockton, Roger H. Lourie, VCHR** Ralph M. McDermid, Jr., Susan M. Morton, **Robert S. Searle, SEC, Valerie Stauffer, CHR,** Joseph L. Williams **District 8 – Nikos Adovasio, Susie L. Anderson, SEC,** Peter A. Basilevsky, James G. Boutelle, Joshua H. Brown, Francis J. Burgweger, Jr., William F. Carlson, Nancy P. Chapin, Jeffrey A. Cooper, Mark W. Dawson, Janet Lynn DeLuca, Charles N. Edwards, III, Christine L. Edwards, Caroline A. Frano, **Richard Kral, Jr., CHR,** Anthony Tod Laudonia, Sally M. Mackenzie, R. Blair Murphy, James J. O'Brien, David S. Ornstein, Mark A. Samuel, John A. Shulman, Stephen M. Soler, Christopher R. vonKeyserling, **John B. Whalen, Jr., VCHR** **District 9 – Robert L. Beerman, Meredith C. Braxton, CHR, David Cruseo, SEC,** Paul F. Curtis, Evan L. Delman, **Vincent A DiMarco, VCHR,** Robert C. Dobbis, Jr., Betsy S. Frumin, Kathleen J. Harsany, Richard A. Kontos, Arthur D. Norton, Frank P. Petise, Alexander J. Popp, Jr., James C. Reilly, Adele Rota, Frank C. Rota, Michael J. Tedesco, Dorothy M. Waurishuk **District 10 – Gerald L. Anderson, VCHR,** Robert M. Byrnes, **Joan E. Caldwell, CHR,** David W. Detjen, Brian D. Forrow, Swan M. Grant, Gale Hartch, **Elizabeth Galt Hirsch, SEC,** Lloyd N. Hull, William B. James, Lawrence E. Larson, John M. Lucarelli, Madeleine R. Marchese, Paul S. Marchese, C. Hooker O'Malley, Harry E. Peden, Jr., Robert J. Richardson, Gary J. Rothman, Alan A. Small, Richard J. Stefani, Beverly S. White **District 11 – Rebecca S. Balikci, SEC,** Mary H. Bruce, Richard D. Bruce, Vincent Buonanno, Peter A. Clauson, Joseph P. Coleman, Steven M. Drexler, Despina K. Fassuliotis, **Gina F. Higbie, CHR,** David L. Hoffman, Joseph S. Huley, **Todd Kennedy, VCHR,** Stanley J. Klein, Robert V. Lardon, Mary Hope Lewis, Fern M. Lindsay, Helen H. MacCallum, Homer Rees, Sabine Schoenberg, Christopher D. Smith, Cynthia L. Smith, Sheilah T. Smith, Michael L. Spilo Mary S. Waldron, **District 12 – Bill Bambrick, Thomas E. Bancroft, Fred A. DeCaro, III, SEC,** Richard S. DiPreta, Ryan A. Greene, Christopher T. Harris, Barbara G. Hindman, James B. Hoffman, Robert C. Kavee, **Robert T. May, CHR** Peggy B. Moore, David J. Norton, **Robert A. Perri, VCHR,** Hope Polidoro, Gerald J. Porricelli, Michael E. Pouliot, Robert F. Robben, Joseph J. Robinson, Sandra A. Romaniello, Mary B. Romeo, Claire S. Simonelli, Jane S. Sulich

The Town Clerk announced that Item No. 2 on the call was now before the meeting.

Robert Brady of District 5 nominated Thomas J. Byrne for Moderator. The nomination was duly seconded.

A member made a motion, which was seconded, that the nominations be closed and Mr. Byrne was elected with the Town Clerk casting one vote.

The Moderator took over the chair and announced that Item No. 3 on the call was now before the meeting.

Coline Jenkins of District 6 nominated Joan Caldwell for Moderator ProTempore. The nomination was duly seconded.

A member made a motion, which was seconded, that the nominations be closed and Miss Caldwell was elected with the Town Clerk casting one vote.

Gina Higbie, chairman of District 11, took a few minutes to recognize the service and contributions of the late Hal Metz and the members stood for a moment of silence in his memory.

The Moderator announced that as all members had received a copy of the minutes of the December 8, 2003 meeting, the reading of the minutes would be omitted. The Moderator asked if there were any corrections or comments, there being none, the minutes were adopted by unanimous consent.

The Moderator announced that Item No. 4 on the call was now before the meeting.

Comptroller Ed Gomeau offered the following resolution, which was duly moved and seconded, regarding Item No. 4.

RESOLVED, that Town Code Chapter 12. Taxation, Article 3. Collections, §12-13 be amended as follows:

Sec. 12-13. Payment of delinquent taxes on motor vehicles.

As authorized by the [general] provisions of General Statutes §[7-148(c)(2)(B),] **12-146:**

(a) [t] The only acceptable forms of payment of delinquent taxes on motor vehicles shall be by cash, certified check or money order[.]; **and**

(b) **Any person who was delinquent in the payment of any property tax or installment on any motor vehicle and for whom the Tax Collector notified the**

Commissioner of Motor Vehicles of such delinquency under the provisions of General Statutes §14-33 shall pay a fee of five dollars (\$5.00).

Additions **bold**

deletions within [brackets]

The vote was now on Item No. 4.

In Favor	-	194
Against	-	0
Abstentions	-	0

Item Carried

The Moderator announced that Item No. 5 on the call was now before the meeting. Fred Baker, Director of Operations for the Board of Education, offered the following resolution, which was dully moved and seconded, regarding Item No. 5.

RESOLVED, that the sum of \$550,000 be and the same is hereby appropriated from “RESERVED FOR CAPITAL & NON-RECURRING FUND” to account Z68002922410659560 Hamilton Avenue School.

The vote was now on Item No. 5.

In Favor	-	171
Against	-	14
Abstentions	-	10

Item Carried

The Moderator announced that Item No. 6 on the call was now before the meeting.

Robert Kalm, Deputy Commissioner of Public Works, offered the following resolution, which was duly moved and seconded, regarding Item No. 6.

RESOLVED, that the sum of \$80,000 be and the same is hereby appropriated to be added to Public Works’ Account No. K361-59650-22204 known as “Old Greenwich/S. Water Street Pump Station.”

James Boutelle of District 8 made a motion, which was seconded, to amend the resolution by reducing the appropriation by \$40,000.

The vote was now on the Boutelle motion to reduce.

In Favor	-	112
Against	-	80
Abstentions	-	1

Motion Carried

The vote was now on Item No. 6 as amended.

In Favor	-	185
Against	-	80
Abstentions	-	1

Item Carried

The Moderator announced that Item No. 7 on the call was now before the meeting.

Paul Curtis offered the following resolution, which was duly moved and seconded, regarding Item No. 7.

RESOLVED, that the following tax abatement relief for surviving spouses of Police Officers and Firefighters be approved and enacted by the Representative Town Meeting.

ARTICLE 5.

TAX ABATEMENT FOR SURVIVING SPOUSES OF POLICE OFFICERS AND FIREFIGHTERS

The Representative Town Meeting ("RTM") of the Town of Greenwich ("the Town") finds and determines as follows:

1. The Greenwich police officers and firefighters provide a valuable service to the Town.
2. The Town wishes to honor those police officers and firefighters who die while performing their duties as police officers or firefighters.
3. Pursuant to Connecticut General Statutes Section 12-81x, the Town is authorized to provide for an abatement of real property taxes with respect to real property owned and occupied by the surviving spouse of a police officer or firefighter who dies while performing his duties for the Town.

Section 12-17 Tax Abatement for Surviving Spouse of Police Officers and Firefighters.

a. Definitions

i. For the purposes of this Section, "firefighter" is defined as any person who is regularly employed and paid by the Town of Greenwich for the purpose of performing fire duties for the Town of Greenwich on an average of not less than 35 hours per week or any volunteer member of the Greenwich Fire Department who performs fire duties.

ii. For the purposes of this Section, "police officer" is defined as a duly sworn member of the Greenwich Police Department, serving the Town in an official capacity, full-time, part-time or on a volunteer basis, with or without compensation.

iii. For the purposes of this Section, "surviving spouse" is defined as the person who was married to the police officer or firefighter at the time of the police officer's or firefighter's death.

iv. For the purposes of this Section, "fire duties" are defined as duties performed while at fires, while answering alarms of fire, while answering calls for mutual aid assistance, while returning from calls for mutual aid assistance, while directly returning from fires, while at fire drills or parades, while going directly to or returning directly from fire drills or parades, while at tests or trials of any apparatus or equipment normally used by the fire department, while going directly to or returning directly from such tests or trials, while instructing or being instructed in fire duties, and any other duty ordered to be performed by a superior or commanding officer in the fire department.

v. For the purposes of this ordinance, "police duties" are defined as any action which an officer is obligated or authorized by law, rule, regulation, or written condition of employment of service to perform during regularly scheduled hours, other hours that qualify for overtime compensation from the Town, or volunteer duty under the command of a superior officer of the Greenwich Police Department.

b. In accordance with Connecticut General Statutes Section 12-81x, there is hereby established effective for the Grand List of October 1, 2003, an abatement of 100% of municipal real property taxes due with respect to real property owned by the surviving spouse of a police officer who dies while performing police duties or firefighter who dies while performing fire duties on or after the date of approval of this Resolution by the RTM. The allowed abatement will be apportioned on the tax bill from the date of death.

c. This tax abatement will remain in effect so long as the surviving spouse occupies the residence as his primary residence or until the surviving spouse remarries or until the spouse conveys his interest in the subject residence. If the spouse subsequently purchases another residence in the Town, and all qualifying criteria remain, then the tax abatement shall apply to the new residence.

d. The Chiefs of the Greenwich Police Department and Greenwich Fire Department shall within 15 days of the death of a Department member who dies performing their duties for the Town submit a letter of notification to the Assessor providing the name and principal residence address of the surviving spouse who continues to own and live in their home. The Assessor will meet with the surviving spouse to complete a signed affidavit containing relevant factual data for tax abatement. The surviving spouse will complete a revised affidavit in subsequent years when requested by the Assessor.

e. Upon the death of any person entitled to tax relief pursuant to this Section, the tax relief hereunder shall end the following June 30.

f. If any person who is entitled to a tax abatement hereunder conveys the property with respect to which the tax abatement hereunder has been granted, the tax relief shall be suspended as of the date of conveyance and the non-qualifying purchaser of such property shall pay the Town a prorated share of taxes thereby due and owing as provided by Connecticut General Statutes Section 12-81a.

g. The property tax relief provided for in this Section shall, in any case where title to real property is recorded in the name of the qualifying surviving spouse and any other person or persons, be prorated to reflect the fractional portion of such qualifying spouse or, if such property is a multiple family or multiple use dwelling, such relief shall be prorated to reflect the fractional portion of such property occupied by the qualifying spouse.

h. Annually, not later than the 1st day of June, the Assessor, upon receipt of an application for such relief, shall determine, with respect to the assessment list of the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of such relief shall be the product of such assessed value and the mill rate in such municipality as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of relief to which such person shall be entitled shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax application to such person's dwelling unit and such person as liable for the payment of such tax.

i. The Tax Collector and Assessor shall prescribe with regard to their respective duties under this Section, such forms and procedures as may be necessary to implement this Section. The Assessor, in addition, shall take such steps necessary to satisfactorily establish the facts as to the qualifying surviving spouse's interest in the property, by requesting such documents as the Assessor deems necessary.

j. The Tax Collector of the Town shall maintain a record of all taxes abated in

accordance with this Section. The Tax Collector shall detail in the Annual Report of the Town of Greenwich the sum of the total monies abated as a result of this Section.

k. This Section shall take effect February 1, 2004.

Valerie Stauffer, chairman of District 7, made a motion, which was seconded, to refer this item back to the Legislative & Rules Committee.

The vote was now on the motion to refer.

Motion Lost

Douglas Wells, chairman of the Legislative & Rules Committee, made a motion to amend the item as follows:

In section iv- last line, delete the last four words and insert the words “of the Greenwich Fire Department”.

In section d. – second line, delete the words “department member” and insert the words “police officer and firefighter.

In section d.- second line, delete the word “their” and substitute the words “ his police officer and firefighter”

The amendment was adopted by unanimous consent.

The vote was now on Item No. 7 as amended.

In Favor	-	166
Against	-	27
Abstentions	-	5

Item Carried

The Moderator announced that Item No. 8 on the call was now before the meeting.

Richard Holleran of District 1 offered the following resolution, regarding Item No. 8.

Be It Hereby Resolved that it is the sense of this meeting that:

Whereas the qualifications of persons chosen for leading positions in town departments and administrative bodies are of utmost concern to the citizens of Greenwich with their unique valuation of exceptional performance and

Whereas in the selection of the above a recognition of loyalty by persons already employed by the town together with the local government's heavy investment in such persons' skill development should be taken into account and

Whereas such recognition will promote quality job performance and employee retention through the incentive of career advancement

Now Therefore such persons already serving the town shall be given most favorable consideration for advancement to enhanced leadership roles.

Christopher VonKeyserling of District 8 made a motion, which was seconded, to refer this item to the Town Services Committee.

The vote was now on the motion to refer.

Motion Lost

The vote was now on Item No. 8.

In Favor	-	30
Against	-	149
Abstentions	-	7

Item Lost

There being no further business, the Moderator adjourned the meeting, upon unanimous consent, at 10:05 P.M.

ATTEST:
CARMELLA C. BUDKINS
TOWN CLERK